

**UNITED STATES DISTRICT COURT
WESTERN DISTRICT OF TEXAS
AUSTIN DIVISION**

**MONOCOQUE DIVERSIFIED
INTERESTS, LLC,**
Plaintiff

v.

USA JET AIRLINES, INC.,
Defendant

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No. 1:21-CV-00956-DAE

ORDER

Before the Court is Plaintiff Monocoque Diversified Interests, LLC's counsel's Motion to Withdraw as Counsel, Dkt. 63. The District Judge referred the motion to the undersigned for disposition. The client opposes the motion, *see* Dkt. 64; Defendant takes no position. The Court set the motion for hearing, at which Monocoque's present counsel, Richie & Gueringer, P.C.; Mary Alice Keyes, as corporate representative for Monocoque; and counsel for Defendant were all in attendance. After considering the filings, the arguments of counsel at the hearing, and the applicable law, the Court concluded that the motion should be granted and announced that ruling, and the reasoning for it, on the record. In particular, the Court found that Monocoque and its present counsel have reached an irreconcilable breakdown in communication that renders counsel's further representation of Monocoque infeasible.

Moreover, the Court concludes that, in light of the recent revision to the Court's scheduling order, *see* Dkt. 70, Monocoque will not be unduly prejudiced by granting counsel's motion to withdraw at this time. As Monocoque is aware, the company

cannot represent itself in federal court. The Court, therefore, cautions Monocoque that timing is of the essence and that prompt retention of new counsel is imperative to ensure that the company's interests in this litigation are adequately represented going forward. The Court further notes that failure to timely obtain counsel in accordance with this order could result in dismissal of Monocoque's remaining claims against Defendant.

Accordingly, the Court **GRANTS** Richie & Gueringer's motion to withdraw, Dkt. 63, effective immediately. The Court **ORDERS** Monocoque to obtain replacement counsel on or before November 27, 2023, and that the new counsel must enter an appearance in this case on or before that same date. The Court **FURTHER ORDERS** Richie & Gueringer to serve a copy of this order on Monocoque on or before November 14, 2023.

SIGNED November 13, 2023.



DUSTIN M. HOWELL
UNITED STATES MAGISTRATE JUDGE